

DEC 13 2005

In the Claims:

Kindly cancel claims 19, 21, and 22-24 without prejudice.

1-14. (cancelled)

15. (currently amended) A sheet sorting apparatus comprising:

a stacking tray for stacking sheets formed with images;
a processing tray for temporarily stacking sheets in a process leading to the stacking tray;
a first path for discharging the sheets to the stacking tray without temporarily stacking the sheets on the processing tray;
a second path for discharging the sheets to the stacking tray after discharged sheets are temporarily stacked on the processing tray;

shifting means for shifting the sheets stacked on the processing tray to change a stacking position ~~of a direction that intersects a sheet discharge~~ of the sheets stacked on the stacking tray via the first path and the sheets stacked on the stacking tray via the second path;

capacity recognition means for recognizing whether a stacking limit of the processing tray is exceeded by detecting a volume of the sheets temporarily stacked on the processing tray;

~~control means for alternately stacking sheets in the stacking tray from the first path and from the second path by activating the shifting means when sheet sorting is specified for a predetermined number of sheets on the stacking tray;~~ and

wherein an action for discharging from the first path

directly to the stacking tray, and an action for shifting a sheet bundle and discharging from the second path to the stacking tray are performed according to each sorting sheet count information, when sheet sorting is specified;

means for discharging the sheets thus far temporarily stacked on the processing tray to the stacking tray, activating the shifting means so that the stacking of subsequent sheets is possible at the same stacking position on the stacking tray as the sheets just discharged from the processing tray until a predetermined number of sheets specified by sheet-sorting count information is reached, and discharging the subsequent temporarily stacked sheets from the processing tray when the predetermined number of sheets is reached, when the capacity recognition means recognizes that a stacking limit of the processing tray has been exceeded when temporarily stacking the sheets in the processing tray in the second path;

wherein a sheet bundle discharged from the processing tray when the sheet-sorting count is reached and at least a first sheet of sheets discharged from the first path are overlapped and discharged to the stacking tray.

16. (previously presented) The sheet sorting apparatus of claim 15, wherein the temporary stacking of the subsequent sheets onto the processing tray is stopped when the capacity recognition means recognizes the stacking limit of the processing tray has been exceeded.

17. (previously presented) The sheet sorting apparatus of

claim 15, wherein the capacity recognition means comprises counting means for counting a number of the sheets stacked on processing tray.

18. (previously presented) The sheet sorting apparatus of claim 15, wherein the capacity recognition means comprises a level sensor to measure a height level of the sheets stacked on the processing tray.

19. (cancelled).

20. (currently amended) A sheet sorting apparatus comprising:

- a stacking tray for stacking sheets formed with images;
- a processing tray for temporarily stacking sheets in a process leading to the stacking tray;

- a first path for discharging the sheets to the stacking tray without temporarily stacking the sheets on the processing tray;

- a second path for discharging the sheets to the stacking tray after discharged sheets are temporarily stacked on the processing tray;

- shifting means for shifting the sheets temporarily stacked on the processing tray to sort sheet bundles by changing a stacking position of sheets stacked in the stacking tray via the first path and sheets stacked in the stacking tray via the second path;

- capacity recognition means for recognizing whether a stacking limit of the processing tray is exceeded by detecting a volume of the sheets temporarily stacked on the processing tray;

control means for stopping the shifting action, discharging the shifted sheets from the processing tray to the stacking tray, then restarting the action of the shifting means so that the shift position is the same for the previous discharged sheets and the subsequent discharged sheets ~~until a predetermined number of sheets is reached~~, and discharging subsequent stacked sheets when the sheets have reached a predetermined number of sheets specified by sheet-sorting count information then discharges sheets stacked in the processing tray from the processing tray to the stacking tray, when the capacity recognition means recognizes that a stacking limit of the processing tray has been exceeded when stacking the sheets in the processing tray;

wherein a sheet bundle discharged from the processing tray via the second path when a number of sheets specified by sheet-sorting count information is reached and at least a first sheet of a sheet group discharged from the first path to sort from these sheets are overlapped for discharge to the stacking tray.

21. (cancelled).

22-24. (cancelled).